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**CHAPTER 26. BOARD OF PSYCHOLOGIST EXAMINERS**

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**ARTICLE 1. GENERAL PROVISIONS**

**R4-26-101. Definitions**

In this Chapter:

1. “Additional examination” means an examination administered by the Board to determine the competency of an applicant and may include questions about the applicant’s knowledge and application of Arizona law, the practice of psychology, ethical conduct, and psychological assessment and treatment practices.
2. “Administrative completeness review” means the Board’s process for determining that an applicant has provided all of the information and documents required by the Board to determine whether to grant a license to the applicant.
3. “Advertising” means the use of any communications media to disseminate information regarding the qualifications of a psychologist or to solicit clients for psychological services, whether or not the

psychologist pays for the dissemination of the information. Methods of advertising include a published statement or announcement, directory listing, business card, personal resume, brochure, or any electronic communication conveying professional qualifications or promoting the use of the psychologist's professional services.

4. "Applicant" means an individual requesting licensure, renewal, or approval from the Board.
5. "Application packet" means the forms and documents the Board requires an applicant to submit to the Board.
6. "Case," in the context of R4-26-106(D), means a legal cause of action instituted before an administrative tribunal or in a judicial forum.
7. "Case conference" means a meeting that includes the discussion of a particular client or case that is related to the practice of psychology.
8. "Client record" means "adequate records" as defined in A.R.S. § 32-2061(A)(2), "medical records" as defined in A.R.S. § 12-2291(5), and all records pertaining to assessment, evaluation, consultation, intervention, treatment, or the provision of psychological services in any form or by any medium.
9. "Confidential record" means:
  - Minutes of an executive session of the Board;
  - A record that is classified as confidential by a statute or rule applicable to the Board;
  - An applicant's or licensee's college or university transcript if requested by a person other than the applicant or licensee;
  - All materials relating to an investigation by the Board, including a complaint, response, client record, witness statement, investigative report, and any other information relating to a client's diagnosis, treatment, or personal or family life;
  - Home address, home telephone number, and e-mail address of an applicant or a licensee;
  - Test scores of an applicant or a licensee;
  - Date of birth of an applicant or a licensee; and
  - Social security number of an applicant or a licensee.
10. "Credentialing agency" means the Association of State and Provincial Psychology Boards, the National Register of Health Service Providers in Psychology, or the American Board of Professional Psychology.
11. "Days" means calendar days.
12. "Diplomate" means a status bestowed on a person by the American Board of Professional Psychology after successful completion of the work and examinations required.
13. "Directly available," in the context of A.R.S. § 32-2071(D)(2), means immediately available in person, by telephone, or by electronic transmission.
14. "Dissertation" means a document prepared as part of a graduate doctoral program that includes, at a minimum, separate sections that:
  - Review the literature on the psychology topic being investigated, state each research question under investigation, and state each hypothesis investigated;
  - Describe the method or procedure used to investigate each research question or each hypothesis;
  - Describe and summarize the findings and results of the investigation;
  - Discuss the findings and compare them to the relevant literature presented in the literature review section; and
  - List the references used in the various sections of the dissertation, a majority of which are either journals of the American Psychological Association, Psychological Abstracts, or classified as a psychology subject by the Library of Congress.
15. "Fellow" means a status bestowed on a person by a psychology association or society.

16. "Gross negligence" means a psychologist knows or has reason to know of facts that would lead a reasonable psychologist to realize that the psychologist's act or failure to act creates an unreasonable risk of harm and involves a high degree of probability that substantial harm may result.
17. "Internship training program" means the supervised professional experience required in A.R.S. § 32-2071(D).
18. "National examination" means the Examination for Professional Practice in Psychology provided by the Association of State and Provincial Psychology Boards.
19. "Party" means the Board, an applicant, a licensee, or the state.
20. "Primarily psychological," in the context of A.R.S. § 32-2071(A)(6), means subject matter that covers the practice of psychology as defined in A.R.S. § 32-2061(A)(8).
21. "Psychometric testing" means measuring cognitive and emotional processes and learning.
22. "Raw test data" means information collected during a psychologist's assessment and evaluation.
23. "Residency" means the same as in A.R.S. § 32-2071(H), but does not include a domicile or hospital residency.
24. "Retired," as used in A.R.S. § 32-2073(E), means a psychologist has permanently stopped practicing psychology, as defined in A.R.S. § 32-2061(A)(8).
25. "Substantive review" means the Board's process for determining whether an applicant meets the requirements of A.R.S. § 32-2071 through § 32-2076 and this Chapter.
26. "Successfully completing," as used in A.R.S. § 32-2071(A)(4), means receiving a passing grade in a course from a school or institution.
27. "Supervise" means to control, oversee, and review the activities of an employee, intern, trainee, or resident who provides psychological services.
28. "Supervisor" means a psychologist licensed or certified as a psychologist in the state in which the supervision occurs.

#### **R4-26-102. Board Officers**

Under A.R.S. § 32-2063(A)(8), the Board shall meet before December 31 of each year to elect a chairperson, a vice chairperson, and a secretary who shall take office on January 1 of the next year and serve until December 31 of that year. When a vacancy occurs in the office of chairperson, vice chairperson, or secretary, the Board shall elect a replacement officer at the next scheduled Board meeting.

#### **R4-26-103. Official Signatures**

The chairperson, vice chairperson, or secretary, elected under A.R.S. § 32-2063(A)(8), shall sign correspondence, forms, legal documents, or other official papers of the Board. The chairperson, vice chairperson, or secretary may delegate this duty to another Board member, or the executive director.

#### **R4-26-104. Advisory Committees**

The Board may appoint advisory committees for the purpose of conducting investigations and making recommendations to the Board concerning official actions to be taken or considered by the Board regarding the licensing process or disciplinary matters.

#### **R4-26-105. Board Records**

- A. A person may view public records in the Board office only during business hours Monday through Friday from 8:00 a.m. to 5:00 p.m., excluding holidays.

- B.** All Board records are open to public inspection and copying except confidential records as defined in R4-26-101.

#### **R4-26-106. Client Records**

- A.** A psychologist shall not condition record release on a client's or third party's payment for services.
- B.** A psychologist shall release, with a client's written consent, the client's raw test data or psychometric testing materials to another licensed psychologist. Without a client's consent, a psychologist shall release a client's raw test data or psychometric testing materials only to the extent required by federal or Arizona law or court order compelling production.
- C.** A psychologist shall retain all client records, including records of a client who died, for a minimum of seven years from the date of the last client activity, except copies of audio or video tapes created primarily for training or supervisory purposes. If a client is a minor, the psychologist shall retain all client records for a minimum of three years past the client's 18th birthday or seven years from the date of the last client activity, whichever is longer.
- D.** A psychologist who has been notified by the Board or municipal, state, or federal officials of an investigation or pending case shall retain all records relating to that investigation or case until the psychologist has received written notification that the investigation is completed or that the case is closed.
- E.** A psychologist who is on inactive status under A.R.S. § 32-2073(E) is not exempt from this rule.

#### **R4-26-107. Current Address**

A psychologist's failure to receive a renewal notice or other mail that the Board sends to the most recent address on file with the Board office is not justification for an untimely license renewal or the omission of any other action required by the psychologist.

#### **R4-26-108. Fees**

1. Application for an active license to practice psychology: \$350
2. Reapplication for an active license denied by the Board: \$200
3. Initial license (prorated): \$400
4. Duplicate license: \$25
5. Biennial renewal of an active license: \$400
6. Biennial renewal of an inactive license: \$50
7. Reinstatement of an active or inactive license: \$200
8. National examination: \$475
9. Delinquent compliance with continuing education requirements: \$200
10. Duplicate renewal receipt: \$5
11. Statutes and rules: \$5
12. Verification of a license: \$2
13. Each audiotape of Board meetings: \$10
14. Computerized discs containing the name and address of each licensee: \$.05 per name
15. Customized computerized discs containing the name and address of each licensee: \$.25 per name
16. Customized computerized discs that contain licensee mailing labels: \$.30 per name
17. Customized computerized discs: \$.35 per name
18. Copies of Board records, documents, letters, minutes, applications, files, and policy statements: \$.25 per page.

## ARTICLE 2. LICENSURE

### **R4-26-201. Application Deadline**

To be considered at the next scheduled Board meeting, a license application and all related supporting materials and documentation, including reference forms mailed from the Board office and any additional information requested by the Board, shall be completed and filed at the Board office at least 14 days before the date of the meeting. An applicant who does not meet this deadline shall have the application reviewed at a subsequent Board meeting.

### **R4-26-202. Doctorate**

- A.** The Board shall apply the following criteria to determine if a doctoral program complies with A.R.S. § 32-2071:
1. A program is “identified and labeled as a psychology program” under A.R.S. § 32-2071(A)(2) if the university, college, department, school, or institute had institutional catalogues and brochures that specified its intent to educate and train psychologists, at the commencement of the applicant’s degree program;
  2. A program “stands as a recognized, coherent organizational entity” under A.R.S. § 32-2071(A)(2) if the university, college, department, school, or institute had a psychology curriculum that was an organized sequence of courses at the commencement of the applicant’s degree program; and
  3. A program has “clearly identified entry and exit criteria” within its curriculum under A.R.S. § 32-2071(A)(2) if the university, college, department, school, or institute has requirements that outline the prerequisites for entrance into the program and the sequence of study and has requirements for graduation delineated.
- B.** The Board shall verify that an applicant has completed the hours in the subject areas described in A.R.S. § 32-2071(A)(4). For this purpose, the applicant shall have the institution that the applicant attended provide directly to the Board an official transcript of all courses taken.
1. The Board shall verify that an applicant’s transcripts have been prepared solely by the institution under A.R.S. § 32-2071(A)(7) by determining whether the applicant had any input into the transcript drafting process.
  2. The Board may require additional documentation from the applicant or from the institution to determine whether the applicant has satisfied the requirements of A.R.S. § 32-2071(A)(4).
  3. The Board shall count five quarter hours as the equivalent of three semester hours, as required under A.R.S. § 32-2071(A)(4). When an academic term is other than a semester or quarter, 15 classroom contact hours equals one semester hour.
- C.** To determine whether a comprehensive examination taken by an applicant as part of a doctoral program in psychology satisfies the requirements of A.R.S. § 32-2071(A)(4), the Board shall review documentation provided directly to the Board by the educational institution that granted the doctoral degree, that demonstrates how the applicant’s comprehensive examination was constructed, lists criteria for passing, and provides the information used to determine that the applicant passed.
- D.** The Board shall not accept credit hours for workshops, practica, undergraduate courses, life experiences, or for credits transferred from institutions that are not accredited under A.R.S. § 32-2071(A)(1), to satisfy a requirement of A.R.S. § 32-2071(A)(4).
- E.** The Board shall count a course or comprehensive examination only once to satisfy a requirement of A.R.S. § 32-2071(A)(4).
- F.** An honorary doctorate degree does not qualify an applicant for licensure as a psychologist.
- G.** The Board shall not accept as core program credits practica, workshops, continuing education courses, experiential or correspondence courses, or life experiences. The Board shall not accept core program credits for seminar or readings courses or independent study unless the applicant provides evidence that the course was an in-depth study devoted to a particular core area. The applicant shall submit evidence of one or more of the following:

1. Course description in official college catalogue,
2. Course syllabus, or
3. Signed statement from a dean or psychology department head detailing that the course was an in-depth study devoted to a particular core area.

#### **R4-26-203. Application for Licensure**

- A.** An applicant for a psychologist license shall submit an application packet to the Board that includes an application form, provided by the Board, signed and dated by the applicant, and notarized, that contains the following information:
1. Applicant's name, business and home addresses, social security number, business and home telephone numbers, and date and place of birth;
  2. Whether the applicant holds a Certificate of Professional Qualification in Psychology, a National Register of Health Service Providers in Psychology credential, or is a diplomate of the American Board of Professional Psychology;
  3. Name of each jurisdiction in which the applicant is currently or has been licensed as a psychologist;
  4. Whether the applicant has applied for licensure as a psychologist in any other jurisdiction and if so, the date of each application;
  5. Whether the applicant is licensed or certified in a profession or occupation other than psychology;
  6. Whether the applicant has ever taken the national examination in psychology, name of each jurisdiction in which taken, and each date of examination;
  7. Whether the applicant has ever had an application for a professional license, certification, or registration denied or rejected by any jurisdiction;
  8. Whether the applicant has ever had disciplinary action initiated against the applicant's professional license, certification, or registration, or had a professional license, certification, or registration suspended or revoked by any jurisdiction;
  9. Whether the applicant has ever entered into a consent agreement or stipulation arising from a complaint against any professional license, certification, or registration;
  10. Whether the applicant is a member of any professional association in the field of psychology and name of association;
  11. Whether the applicant has ever had membership in a professional association in the field of psychology denied or revoked;
  12. Whether the applicant is currently under investigation for or has been found guilty of violating a code of professional ethics of any professional organization;
  13. Whether the applicant is currently under investigation for or has been found guilty of violating a code of conduct by any jurisdiction;
  14. Whether the applicant has ever been sanctioned or placed on probation by any jurisdiction;
  15. Whether the applicant has been convicted of a felony or a misdemeanor other than a minor traffic offense, or has ever entered into a diversion program instead of prosecution, including any convictions that have been expunged or deleted;
  16. Whether the applicant has been sued in civil court or prosecuted in criminal court pertaining to the applicant's practice as a psychologist, the applicant's work under a certificate or license in another profession, or the applicant's work as a member of a profession in which the applicant was not certified or licensed;
  17. Whether the applicant is currently addicted to alcohol or any drug that in any way impairs or limits the applicant's ability to practice;
  18. Whether the applicant currently has any medical, physical, or psychological condition that may in any way impair or limit the applicant's ability to practice psychology safely and effectively;
  19. Name and address of each university or college from which the applicant graduated, date of attendance, date of graduation, degree received, name of department, and major subject area;

20. Major advisor's name and department and the title of the applicant's dissertation or Psy.D. project for the doctoral degree;
  21. Official title of the doctoral degree program or predoctoral specialty area;
  22. Whether the internship was an American Psychological Association approved program or a member of the Association of Psychology and Postdoctoral Internship Centers;
  23. Each location at which the applicant participated in an internship training program and each supervisor's name;
  24. Areas of professional competence;
  25. Intended area of professional practice in psychology;
  26. Name, position, and address of at least two references who:
    - a. Are psychologists licensed or certified to practice psychology in a United States or Canadian jurisdiction and who are not members of the Arizona Board of Psychologist Examiners;
    - b. Are familiar with the applicant's work experience in the field of psychology or in a postdoctoral program within the three years immediately before the date of application. If more than three years have elapsed since the applicant last engaged in professional activities in the field of psychology or in a postdoctoral program, the references may be from the most recent three-year period in which the applicant engaged in professional activities in the field of psychology or in a postdoctoral program; and
    - c. Recommend the applicant for licensure;
  27. History of employment in the field of psychology including the beginning and ending dates of employment, number of hours worked per week, name and address of employer, name and address of supervisor, and type of employment;
  28. Information demonstrating that the applicant satisfied the core program requirements in A.R.S. § 32-2071(A)(4) and R4-26-202;
  29. Whether the applicant agrees to allow the Board to submit supplemental requests for additional information under R4-26-208(C);
  30. A notarized statement, verified under oath by the applicant, that the information on the application pertains to the applicant, is true and correct, and has not been submitted through fraud or misrepresentation;
  31. One photograph of the applicant no larger than one and a half by two inches taken not more than 60 days before the date of application;
  32. Fee required by R4-26-108; and
  33. Any other information authorized by statute.
- B.** In addition to the requirements of subsection (A), an applicant for a psychologist's license shall arrange to have directly submitted to the Board:
1. An official transcript from each university or college from which the applicant has received a graduate degree that contains the date the degree was received;
  2. An official document from the degree-granting institution indicating that the applicant has completed a residency that satisfies the requirements of A.R.S. § 32-2071(H);
  3. An affidavit from the applicant's supervisor, if available, or a psychologist knowledgeable of the applicant's internship training program, verifying that the applicant's internship training program meets the requirements in A.R.S. § 32-2071(D); and
  4. An affidavit from the applicant's postdoctoral supervisor, if available, or a psychologist knowledgeable of the applicant's postdoctoral experience verifying that the applicant's postdoctoral experience meets the requirements in A.R.S. § 32-2071(E).
  5. Verification of all other psychology licenses or certificates ever held in any jurisdiction.
- C.** In addition to the requirements in subsections (A) and (B), an applicant shall ensure that an official notification of the applicant's score on the national examination is provided to the Board. An applicant who has passed the national examination and is seeking an examination waiver under A.R.S. § 32-2072(C)(1) shall have the examination score sent directly to the Board by the Association of State and Provincial Psychology Boards or by the jurisdiction in which the applicant originally passed the examination.

**R4-26-203.01. Application for Licensure by Credential Under A.R.S. § 32-2071.01(B)**

- A.** An applicant for a psychologist license by credential under A.R.S. § 32-2071.01(B) shall submit an application packet to the Board that includes:
1. An application form, provided by the Board, signed and dated by the applicant, that contains the information required by R4-26-203(A)(1) through (25), and R4-26-203(A)(29) through (33);
  2. Verification sent directly to the Board by the credentialing agency that the applicant:
    - a. Holds a current Certificate of Professional Qualification in Psychology (CPQ) issued by the Association of State and Provincial Psychology Boards; or
    - b. Holds a current National Register Health Service Provider in Psychology (NRHSPP) credential at the Doctoral Level under A.R.S. § 32-2071; or
    - c. Is a diplomate of the American Board of Professional Psychology (ABPP); and
  3. Verification of all other psychology licenses or certificates ever held in any jurisdiction.
- B.** An applicant for a psychologist license by credential based on a National Register Health Service Provider in Psychology credential also shall have passed the national examination and shall have notification of the examination score sent directly to the Board by the Association of State and Provincial Psychology Boards or by the jurisdiction in which the applicant originally tested.
- C.** If the Board determines that an application for licensure by credential requires clarification, the Board may require that an applicant submit or cause the applicant's credentialing agency to submit directly to the Board any documentation including transcripts, course descriptions, catalogues, brochures, supervised experience verifications, examination scores, application for credential, or any other information that is deemed necessary by the Board.

**R4-26-204. Examinations**

**A. General rules.**

1. Under A.R.S. § 32-2072(B), an applicant who fails the national examination at least three times in Arizona or any other jurisdiction, shall comply with the following requirements before taking another national examination:
  - a. The applicant shall review the areas of deficiency and implement a program of study or practical experience designed to remedy the applicant's deficiencies. This remedial program may consist of course work, self-study, internship experience, supervision, or any combination of these.
  - b. The applicant shall submit a new application that includes documentation of the applicant's professional activities since the date of the original application, in addition to the information required on the original application.
2. Examination deadline. Unless the Board grants an extension, the Board shall close the file of an applicant approved to sit for a Board examination who fails to sit for the examination within one year from the date of the Board's approval. An applicant who is approved to sit for the examination before the effective date of this section has one year from the effective date of this section in which to take the examination. An applicant whose file has been closed and who later wishes to pursue licensure shall reapply and pay the applicable fee. Upon written request to the Board's Executive Director received by the Board on or before the applicant's examination deadline, the Board shall grant the applicant one extension of up to six months to sit for the examination.
3. The Board shall deny a license if an applicant commits any of the following acts:
  - a. Violates the confidentiality of examination materials;
  - b. Removes any examination materials from the examination room;
  - c. Reproduces any portion of a licensing examination;
  - d. Aids in the reproduction or reconstruction of any portion of a licensing examination;
  - e. Pays or uses another person to take a licensing examination for the applicant or to reconstruct any portion of the licensing examination;
  - f. Obtains examination material, either before, during, or after an examination, for the purpose of instructing or preparing applicants for examinations;



- g. Sells, distributes, buys, receives, or has possession of any portion of a future, current, or previously administered licensing examination that is not authorized by the Board or its authorized agent for release to the public;
- h. Communicates with any other examinee during the administration of a licensing examination;
- i. Copies answers from another examinee or permits the copying of answers by another examinee;
- j. Possesses during the administration of a licensing examination any books, equipment, notes, written or printed materials, or data of any kind, other than material distributed during the examination; or
- k. Impersonates another examinee.

**B. National examination.**

Under A.R.S. § 32-2072, the Board shall require that an applicant take and pass the national examination. An applicant approved by the Board to take the national examination passes the examination if the applicant's score equals or exceeds the passing score recommended by the Association of State and Provincial Psychology Boards. When the Board receives the examination results, the Board shall notify the applicant in writing of the results.

**C. Additional examination.**

1. An applicant shall pass the national examination before being permitted by the Board to take an additional examination.
2. Under A.R.S. § 32-2072(A), the Board may administer an additional examination to all applicants to determine the adequacy of the applicant's knowledge and application of Arizona law. The additional examination may also cover the practice of psychology, ethical conduct, and psychological assessment and treatment practices.
  - a. The Board shall review and approve the additional examination before administration. The additional examination may be developed by the Board, a committee of the Board, consultants to the Board, or independent contractors.
  - b. The additional examination may be administered by the Board, a committee of the Board, consultants to the Board, or independent contractors.
  - c. Applicants, examiners, and consultants to the Board shall execute a security acknowledgment form stating that they shall maintain examination security.

**R4-26-205. Renewal of License**

- A. The Board considers license renewal applications timely filed if delivered to the Board's office and date stamped or postmarked before May 1 of the year that the license expires.
- B. An applicant shall file with the Board a renewal application form provided by the Board, signed and dated by the licensee, that contains:
  1. The applicant's name, business and home addresses, social security number, license number, business and home telephone numbers, e-mail address, gender, date of birth, and a designated preference for directory and mailing addresses;
  2. Whether the applicant is currently licensed or certified as a psychologist in another jurisdiction, and if so, identification of the jurisdiction;
  3. Whether the applicant is currently a licensed or certified member of another profession, and if so, identification of the profession and the jurisdiction;
  4. Whether the applicant is a member of any hospital staff or provider panel and if so, identification of the hospital or panel;
  5. Whether the applicant has completed the required 60 hours of continuing education, and if not, an explanation of the reasons;
  6. Whether the applicant has been denied a license or certificate to practice any profession by any state or Canadian province;
  7. Whether the applicant has ever relinquished responsibilities, resigned a position, or been fired while a complaint was being investigated or adjudicated against the applicant;

8. Whether the applicant has ever resigned or been terminated from a professional organization, hospital staff, or provider panel or surrendered a license while a complaint against the applicant was being investigated or adjudicated;
  9. Whether the applicant has been disciplined by any agency or regulatory board of any jurisdiction, health care institution, provider panel or ethics panel for acts pertaining to the applicant's conduct as a psychologist or as a professional in any other field, and if so, a report of those actions including the name and address of the disciplinary agency, the nature of the action, and a statement of the charges and findings;
  10. Whether the applicant has been convicted of a felony or a misdemeanor other than a minor traffic offense in any state or country;
  11. Whether the applicant is currently under investigation by any professional organization, health care institution, or provider panel of which the applicant is a member or on staff, or regulatory board or agency concerning the ethical propriety or legality of the applicant's conduct;
  12. Whether the applicant has been sued or charged in civil or criminal court for an act relating to the applicant's practice as a psychologist, the applicant's work under a license or certificate in another profession, or the applicant's work as a member of a particular profession;
  13. Whether the applicant is delinquent in payment of a judgment for child support;
  14. Whether the applicant has had an application for membership to any professional organization rejected, or has had any professional organization suspend or revoke the applicant's membership, place the applicant on probation, or otherwise censure the applicant for unethical or unprofessional conduct or other violation of eligibility or membership requirements;
  15. Whether the applicant has a condition that in any way impairs or limits the applicant's ability to safely and effectively practice psychology;
  16. Whether the applicant is requesting any of the following inactive status options:
    - a. Mental or physical disability,
    - b. Voluntary inactive status,
    - c. Retirement, or
    - d. Medical or inactive continuation;
  17. Whether the applicant is requesting expired status;
  18. A signed attestation of the veracity of the information provided; and
  19. Any other information authorized by statute.
- C.** A licensee who applies for renewal in a timely manner, but fails to complete the required 60 hours of continuing education, may reinstate the expired license and continue practicing between May 1 and July 1 by paying by July 1 the reinstatement fee in R4-26-108, in addition to the regular renewal fee, under A.R.S. § 32-2074(B). The licensee shall complete the continuing education requirements by July 1 of the same year.
- D.** A person who fails to complete the required 60 hours of continuing education by July 1 and reinstate a license under subsection (C):
- a. Shall not practice psychology until the license is reinstated;
  - b. Has from July 1 of the renewal year to May 1 of the next year to complete the continuing education requirements; and
  - c. Shall pay the reinstatement fee and the delinquent compliance fee in R4-26-108.
- E.** If as a result of an audit of continuing education records, the Board disallows some or all of a licensee's credit hours for failure to conform to the standards listed in R4-26-207, and the remaining hours are less than the number required, the Board shall deem the licensee as failing to satisfy the continuing education requirements. The licensee has 90 days from the mailing date of the Board's notification of disallowance to complete the continuing education requirements for the past reporting period and shall provide the Board with an affidavit documenting completion. If the Board does not receive an affidavit within 90 days of the mailing date of notification of disallowance or the Board deems the affidavit insufficient, the Board may take disciplinary action under A.R.S. § 32-2081.

#### **R4-26-206. Inactive Status**

To determine whether a psychologist has maintained and updated the professional knowledge and capability to resume active practice as a psychologist when considering reinstatement of a psychologist on inactive status to active status, pursuant to A.R.S. § 32-2073(G), the Board shall determine whether the psychologist has satisfied the continuing education requirements applicable to psychologists on active status. Psychologists who have, while on inactive status, fulfilled the continuing education requirements of a psychologist on active status shall be presumed to have maintained and updated their professional knowledge and capability to practice as a psychologist, unless the Board is presented with evidence to the contrary.

#### **R4-26-207. Continuing Education**

- A.** A licensee shall complete a minimum of 60 hours of continuing education during each two-year license renewal period. One clock hour of instruction, training, preparation of a published book or journal article, or making a presentation equals one hour of continuing education credit.
  - 1. Continuing education hours are prorated from the date of the Board correspondence notifying an applicant of approval for licensure. To calculate the minimum number of continuing education hours that a new licensee must obtain, the Board shall divide the 60 hours of continuing education required by 24 and multiply that amount by the number of months that remain until the next biennial renewal date.
  - 2. The Board uses the same method specified in subsection (A)(1) to calculate the minimum number of continuing education hours required in each of the categories listed in subsection (C).
- B.** A licensee shall obtain a minimum of eight of the 40 hours required under Category I in subsection (C) as follows:
  - 1. At least four hours in professional ethics; and
  - 2. Beginning May 1, 2005, at least four hours in domestic violence or child abuse;
- C.** During the two-year license period, a licensee shall obtain a minimum of 40 hours from Category I. The remaining 20 required continuing education hours may be from Category I or Category II.
  - 1. Category I consists of:
    - a. Post-doctoral study sponsored by a regionally accredited university or college as listed in A.R.S. § 32-2071(A)(1), that provides a graduate-level degree program, or a course, seminar, workshop, or home study with certificate of completion, or a continuing education program offered by a national, international, regional, or state association, society, board, or continuing education provider, if:
      - i. At least 75% of the program is related to the “practice of psychology” as defined in A.R.S. § 32-2061(A)(8); and
      - ii. The program’s instructor meets the qualifications in subsection (D);
    - b. Attending a Board meeting. A licensee receives four continuing education hours in professional ethics as required under subsection (B)(1) for attending eight hours or more of a Board meeting and two continuing education hours for attending between four and eight hours of a Board meeting. A licensee shall complete documentation provided by the Board at the time the licensee attends a Board meeting. The Board shall not accept more than 10 continuing education hours obtained by attending a Board meeting from a licensee for each renewal period; and
    - c. Serving as a complaint consultant. A licensee who serves as a Board complaint consultant to review Board complaints and provide a written report to the Board, receives continuing education hours equal to the actual number of hours served as a complaint consultant up to a maximum of 20 hours per renewal period.
  - 2. Category II consists of:
    - a. Self-study or study groups for professional growth and development as a psychologist;
    - b. Preparation that results in publication of an authored or co-authored psychology book, psychology book chapter, or article in a peer-reviewed psychology journal;
    - c. Presentation of a symposium or paper at a state, regional, national, or international psychology meeting;
    - d. Attendance at or participation in a case conference; or

- e. A course, workshop, seminar, or symposium for professional growth and development as a psychologist or enhancement of psychological practice, education, or administration.
- D. The Board shall not approve continuing education for credit unless the continuing education instructor:
  - 1. Is currently licensed or certified in the instructor's profession or works at least 20 hours each week as a faculty member at a regionally accredited college or university, as listed in A.R.S. § 32-2071(A);
  - 2. Is a fellow as defined in R4-26-101 or a diplomate as defined in R4-26-101; or
  - 3. Demonstrates competence and expertise in the subject or material the instructor teaches by having an advanced degree, teaching experience, work history, authored professional publication articles, or having previously presented seminars in that subject or material.
- E. A licensee who organizes and presents a continuing education activity receives the same number and category of continuing education hours described in subsection (C) as those persons attending the continuing education activity. The Board shall not allow credit more than once in a two-year license renewal period for organizing and presenting a continuing education function on the same topic or content area.
- F. A licensee elected to an officer position in an international, national, regional, or state psychological association or society, or appointed to a government psychology board or committee, receives Category I continuing education hours equal to the actual number of hours served in the position up to a maximum of 10 hours per renewal period.
- G. Each licensee shall keep the following documents that substantiate completion of continuing education hours for the previous license renewal period:
  - 1. A certificate of attendance;
  - 2. Statement signed by the provider verifying participation in the activity;
  - 3. Official transcript;
  - 4. Documents indicating a licensee's participation as an elected officer or appointed member as specified in subsection (F); or
  - 5. A signed affidavit to document self-study activity that includes a description of the activity, the subject covered, the dates, and the number of hours involved.
- H. The Board may audit a licensee's compliance with continuing education requirements. The Board may deny renewal or take other disciplinary action against a licensee who fails to obtain or document required continuing education hours. The Board may discipline a licensee who commits fraud, deceit, or misrepresentation regarding continuing education hours.
- I. A licensee who cannot meet the continuing education requirement for good cause may seek an extension of time to complete the continuing education requirement by submitting a written request to the Board, including the renewal fee.
  - 1. Good cause is limited to licensee illness, military service, or residence in a foreign country for at least 12 months of the license renewal period.
  - 2. A licensee shall submit a request for extension on or before the expiration of a license. The Board shall not grant a time extension longer than one year.
  - 3. A licensee who cannot complete the continuing education requirement within the time extension may apply to the Board for inactive license status under A.R.S. § 32-2073(E).
- J. The Board shall not allow continuing education hours in excess of the 60 required hours to be carried beyond the two-year renewal period in which the hours were accrued.
- K. A course, workshop, seminar, or symposium designed to increase income or office efficiency is not eligible for continuing education hours.

#### **R4-26-208. Time-frames for Processing Applications**

- A. The overall time-frame described in A.R.S. § 41-1072(2) for each type of approval granted by the Board is listed in Table 1. An applicant and the Board's Executive Director may agree in writing to extend the substantive review time-frame and the overall time-frame. An extension shall not exceed 25 percent of the overall time-frame.

- B.** The administrative completeness review time-frame described in A.R.S. § 41-1072(1) for each type of approval granted by the Board is listed in Table 1.
1. The administrative completeness review time-frame begins, for approval or denial of:
    - a. An application to take the national examination, on the date the Board receives an application packet and ends on the date the Board sends an applicant a written notice of administrative completeness;
    - b. An application for licensure from an applicant licensed in another jurisdiction who is applying for an examination waiver under A.R.S. § 32-2072(C)(1), on the date the Board receives an application packet and ends on the date the Board sends an applicant a written notice of administrative completeness;
    - c. An application for licensure by credential, on the date the Board receives an application packet and ends on the date the Board sends a notice of administrative completeness and if the application does not require substantive review, a request for payment of licensing fee;
    - d. An application to take an additional examination, on the date the Board receives an application packet for the additional examination, and ends on the date the Board sends an applicant a written notice of administrative completeness;
    - e. A license renewal application, on the date the Board receives a renewal application packet and ends on the date the Board sends an applicant a written renewal receipt;
    - f. A request for reinstatement of an expired license, on the date the Board receives the request for reinstatement and ends on the date the Board sends an applicant a written renewal receipt; and
    - g. A request for an extension in which to complete continuing education requirements, on the date the Board receives a request for extension, and ends on the date the Board sends an applicant written notice of completeness of the request.
  2. If an application packet is incomplete, the Board shall send an applicant a written notice specifying the deficiencies. The administrative completeness review time-frame and the overall time-frame are suspended from the date of mailing this notice until the date the Board receives a complete application packet from the applicant. An applicant shall supply the missing information within the time specified in Table 1 from the date of the notice. If the applicant fails to do so, the Board may close the file unless the applicant requests a denial of the application within 30 days from the date of the notice. An applicant whose file has been closed and who later wishes to pursue licensure shall reapply and pay the applicable fee.
  3. If a renewal application is incomplete, the Board shall send an applicant a written notice specifying deficiencies. The administrative completeness time-frame and the overall time-frame are suspended from the date of mailing this notice until the date that the Board receives a complete application packet from the applicant.
  4. When an application packet is complete, the Board shall send a written notice of administrative completeness to an applicant.
- C.** The substantive review time-frame described in A.R.S. § 41-1072(3) is listed in Table 1.
1. The substantive review time-frame begins for approval or denial of:
    - a. An application to take the national examination, on the date the Board sends an applicant written notice of administrative completeness and ends on the date the Board approves or denies the application to take the national examination;
    - b. An application for licensure from an applicant licensed in another jurisdiction, who is applying for an examination waiver under A.R.S. § 32-2072(C)(1), on the date the Board sends the applicant written notice of administrative completeness and ends on the date the Board approves or denies the application;
    - c. An application for licensure by credential that requires substantive review, on the date the Board sends the applicant written notice of administrative completeness and ends on the date the Board approves or denies the application;
    - d. An application to take an additional examination, on the date the Board sends the applicant written notice of administrative completeness and ends on the date the Board approves or denies the application to take the additional examination;

- e. An application for license renewal that is deficient under subsection (B)(3), on the date an applicant submits the missing information, and ends on the date the Board approves or denies the renewal application;
  - f. A request for reinstatement of an expired license, on the date the Board sends written notice of administrative completeness and ends on the date the Board approves or denies the request; and
  - g. A request for an extension in which to complete continuing education requirements, on the date the Board office sends an applicant written notice of completeness and ends on the date the Board approves or denies the request.
2. During the substantive review time-frame, the Board may make one comprehensive written request for additional information or documentation. The Board and an applicant may mutually agree in writing to allow the Board to submit supplemental requests for additional information. If the Board issues a comprehensive written request or a supplemental request for additional information by mutual written agreement, the time-frame for the Board to complete the substantive review is suspended from the date of mailing the request until the Board receives the additional information or documentation.
- D.** The Board shall send a written notice of approval to an applicant who meets the qualifications in A.R.S. §§ 32-2071 through 32-2076, as applicable.
  - E.** The Board shall send a written notice of denial to an applicant who fails to meet the qualifications in A.R.S. §§ 32-2071 through 32-2076, as applicable.
  - F.** The Board shall send a renewal receipt to an applicant who meets the requirements of A.R.S. § 32-2074 and R4-26-205.
  - G.** The Board shall send a written notice of expiration of license to an applicant who fails to meet the requirements of A.R.S. § 32-2074 and R4-26-207. The notice of expiration is fully effective upon mailing to the applicant's last address of record in the Board's file.
  - H.** If a time-frame's last day falls on a Saturday, Sunday, or an official state holiday, the time-frame ends on the next business day.

**Table 1. Time-frames (in days) for Processing Applications**

Type of Time-frame	Statutory or Rule Authority	Administrative Completeness Time-frame	Time to Respond to Notice of Deficiency	Substantive Review Time-frame	Time to Respond to Request for Additional Information	Overall Time-frame
Approval or denial to take the national examination	A.R.S. §§ 32-2071, 32-2071.01, 32-2072; and A.A.C. R4-26-204	30	240	90	240	120
Approval or denial of application for licensure by examination waiver	A.R.S. §§ 32-2071, 32-2071.01, 32-2072(C)(1)	30	240	90	240	120
Approval or denial of application for licensure by credential	A.R.S. §§ 32-2071.01, 32-2072; and A.A.C. R4-26-203.01	30	240	90	240	120
Approval or denial to take additional examination	A.R.S. §§ 32-2071, 32-2071.01, 32-2072; and A.A.C. R4-26-204	30	240	90	240	120
Approval or denial of application for renewal of license	A.R.S. § 32-2074; A.A.C. R4-26-205	60	N/A	90	N/A	150
Approval or denial of application for reinstatement of expired license	A.R.S. § 32-2074; A.A.C. R4-26-206	60	N/A	90	N/A	150
Approval or denial of extension for continuing education requirement	A.R.S. § 32-2074 A.A.C. R4-26-207	60	N/A	90	N/A	150

#### **R4-26-209. General Supervision**

Under A.R.S. § 32-2071, a supervising psychologist shall not supervise a member of the psychologist's immediate family, an individual with whom the psychologist has any substantial financial interest as defined by A.R.S. § 38-502(11), or the psychologist's employer.

#### **R4-26-210. Internship or Training Experience**

The Board shall use the following criteria to determine if internship or training experience complies with A.R.S. § 32-2071(D):

1. That the written statement required in A.R.S. § 32-2071(D)(9) corresponds to the training program that the applicant completed;
2. That a supervisor was available to the person being supervised when decisions were made regarding emergency psychological services provided to a client as required in A.R.S. § 32-2071(D)(2);
3. That course work used to satisfy the requirements of A.R.S. § 32-2071(A) or dissertation time is not credited toward the time required by A.R.S. § 32-2071(D)(6);
4. That the two hours a week of other learning activities required in A.R.S. § 32-2071(D)(6) includes one or more of the following:

- a. Case conferences involving a case in which the trainee was actively involved,
  - b. Seminars involving clinical issues,
  - c. Co-therapy with a professional staff person including discussion,
  - d. Group supervision, or
  - e. Additional individual supervision;
5. That a training program had the trainee work with other doctoral level psychology trainees and included in the written statement required in A.R.S. § 32-2071(D)(9) a description of the program policy specifying the opportunities and resources provided to the trainee for working or interacting with other doctoral level psychology trainees in the same or other sites;
  6. That time spent fulfilling academic degree requirements such as course work applied to the doctoral degree, practicum, field laboratory, dissertation, or thesis credit is not credited toward the 1,500 hours of professional experience hours required by A.R.S. § 32-2071(D). This rule does not restrict a student from participating in activities designed to fulfill other doctoral degree requirements; however, the Board shall not credit such time toward the hours required by A.R.S. § 32-2071(D); and
  7. That to satisfy the first 1,500 hours required by A.R.S. § 32-2071(D), the written statement required under A.R.S. § 32-2071(D)(9) was established by the time the student began training. The Board shall not accept experience or credit for the past activities as a training program or a pre-doctoral internship.

#### **R4-26-211. Foreign Graduates**

- A. Under A.R.S. § 32-2071(B), an applicant for licensure whose application is based on graduation from a foreign institution of higher education shall provide the Board with documents and evidence to establish that the applicant's formal education is equivalent to a doctoral degree in psychology from a regionally accredited institution as described in A.R.S. § 32-2071(A).
- B. An applicant shall provide the following information to the Board:
  1. An original and a copy of the doctoral diploma or certificate of graduation. The original shall be returned, and the copy shall be retained by the Board;
  2. An official transcript or comparable document recording all course work completed, containing an original university seal;
  3. A certified English translation of all documents submitted;
  4. Evidence of completion of the requirements of A.R.S. § 32-2071(C),(D), and (E); and
  5. Evidence that the doctoral dissertation or project was primarily psychological. The Board may require the applicant to submit the doctoral dissertation or project.

### **ARTICLE 3. REGULATION**

#### **R4-26-308. Rehearing or Review of Decision**

- A. Except as provided in subsection (G), any party in a contested case or appealable agency action before the Board who is aggrieved by a Board order or decision rendered in the case may file with the Board, not later than 30 days after service of the decision, a written motion for rehearing or review of the decision specifying the particular grounds for rehearing or review. For purposes of this subsection, service is complete on personal service or five days after the date that a Board order or decision is mailed to the party's last known address.
- B. A motion for rehearing or review may be amended at any time before it is ruled upon by the Board. A party may file a response within 15 days after service of the motion or amended motion by any other party. The Board may require written briefs upon the issues raised in the motion and may provide for oral argument. A party who files pleadings or other documents with the Board shall file an original and 11 3-hole punched copies.



- C.** The Board may grant rehearing or review of a Board order or decision for any of the following causes materially affecting the moving party's rights:
1. An irregularity in the administrative proceedings of the agency, its hearing officer, or the prevailing party, or any order or abuse of discretion, whereby the moving party was deprived of a fair hearing;
  2. Misconduct of the Board, its hearing officer, or the prevailing party;
  3. An accident or surprise that could not be prevented by ordinary prudence;
  4. Newly discovered material evidence that could not with reasonable diligence be discovered and produced at the original hearing;
  5. Excessive or insufficient penalties;
  6. An error in the admission or rejection of evidence or other errors of law occurring at the administrative hearing or during the progress of the case; or
  7. A Board order or decision that is not justified by the evidence or is contrary to law.
- D.** The Board may affirm or modify a Board order or decision or grant a rehearing or review to all or any of the parties and on all or part of the issues for any of the reasons set forth in subsection (C). An order granting a rehearing or review shall specify the grounds on which the rehearing or review is granted, and the rehearing or review shall cover only those matters specified.
- E.** Not later than 30 days after a Board order or decision is rendered, the Board may on its own initiative order a rehearing or review of its order or decision for any reason specified in subsection (C). After giving the parties or their counsel notice and an opportunity to be heard on the matter, the Board may grant a motion for rehearing or review for a reason not stated in the motion.
- F.** When a motion for rehearing or review is based upon affidavits, the party shall serve the affidavits with the motion. An opposing party may, within 15 days after service, serve opposing affidavits. The Board for good cause or by written agreement of all parties may extend for not more than 20 days the period for service of opposing affidavits. Reply affidavits are permitted.
- G.** If the Board finds that the immediate effectiveness of a Board order or decision is necessary for the immediate preservation of the public peace, health, and safety and that a rehearing or review of the Board order or decision is impracticable, unnecessary, or contrary to the public interest, the Board order or decision may be issued as a final order or decision without an opportunity for a rehearing or review. If a Board order or decision is issued as a final order or decision without an opportunity for rehearing or review, any application for judicial review of the order or decision shall be made within the time permitted for final orders or decisions.
- H.** For purposes of this Section, "contested case" is defined in A.R.S. § 41-1001 and "appealable agency action" is defined in A.R.S. § 41-1092.